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August 25, 2021

Via U.S. Mail and Email: (Efrank@alflaw.net)

Evan L. Frank, Esquire
Alan L. Frank Law Associates, PC
135 Old York Road
Jenkintown, PA 19046

RE: AC2T, Inc. v. Purrington
2:19-cv-05946-RBS

Dear Mr. Frank:

I am in receipt of your inappropriate, misleading, and unethical *ex parte* communication dated August 24, 2021 sent directly to Senior Judge Surrick. Your letter is highly objectionable, directly contravenes the Rules of Professional Conduct, namely Rule 3.5, and even enclosed a “proposed order” seeking substantive relief. The fact that I am copied on the correspondence is irrelevant.

You have willfully violated Rule 3.5 governing Professional Conduct, not to mention the local rules, and have committed a sanctionable offense for your attempt to abuse the judicial process. Moreover, your letter is a continued effort to use these proceedings to abuse and harass the Defendant, just as alleged in the Counterclaim of the Defendant. If you had an issue, you are well aware that you are required to file a Motion for an Order for relief – much like the Motion of the Defendant pending against you for your failure to comply with discovery requests.

Not only should your correspondence be rightfully discounted in its entirety by the Court pursuant to Rule 2.9 of the Code of Judicial Conduct, but also the Court should issue sanctions against you and award attorney’s fees to the Defendant as a result of your gross and intentional violation of the Rules of Professional Conduct. The Defendant intends to file a Motion for Sanctions provided the Court does not independently issue sanctions.

Defendant demands that you cease and desist from further *ex parte* and unethical attempts to influence this Court.

Very truly yours,



TREVOR C. SERINE

cc: R. Barclay Surrick, Senior Judge
(Chambers_of_Judge_R_Barclay_Surrick@paed.uscourts.gov)